

STAT

WALL STREET JOURNAL
 DATE June 3, 1987
 PAGE 30

Congress Gets a Lesson

The Iran-Contra panel yesterday received its best testimony so far about how the Contras were kept alive while U.S. aid was suspended. If the members had listened carefully, they would have learned that their micro-managing of Nicaragua policy was at least as big a problem as Ollie North's entrepreneurship. We only hope this bitter lesson will not lead them to assassinate the reputation of witness Elliott Abrams out of spite.

Mr. Abrams, the assistant secretary of state for inter-American affairs, is one of the young stars of the Reagan administration. At the age of 39, he is in his third post as an assistant secretary of state. He told the panel how he tried to help the Contras while abiding by fluctuating congressional restrictions. What was most interesting was to listen to his detailed answers about how foreign policy is made in modern Washington.

In going over the history of congressional restrictions on U.S. aid for the Contras, Senate counsel Mark Belnick referred to the August 1985 version of the Boland amendment, which authorized \$27 million in humanitarian aid. He noted that Congress made the State Department the conduit for the funds.

Mr. Abrams: "I think it's worth noting that that was done over our dead body. We all, from the secretary on down, felt that that was crazy. What did the State Department know about buying boots and shipping them down to Central America? It would take us months to set up an office from scratch, to figure out how we do this. There were two agencies of government that do it, that know how to do it, that know how to account for it, that are all set: CIA and the Defense Department. And we fought and fought to not have to do this and to try to persuade Congress that this was not a sensible thing to do and we lost."

Congress forced the wrong executive-branch department to oversee Contra aid. This oversight entailed rather bizarre considerations that had nothing to do with effectively running foreign policy. Take the Case of the Nonlethal Timepieces.

Mr. Abrams recalled a request from the Contras for wristwatches: "I remember us saying, well, you know unless you've got a very large wristwatch and hit somebody with it, it was not lethal aid. But this was deadly serious, deadly serious, because of legal restrictions. And we actually debated, of course wristwatches weren't 'lethal aid,' but were they 'humanitarian aid?' Did they fit, because we thought Congress basically meant

uniforms, medicine and food. . . . I decided, yeah, a wristwatch is OK. But that was the kind of discussion that we had—was that doable?"

The Tower Commission made similar points about how the Boland amendments and the immersion of foreign policy in trivial legalities contributed to Iran-Contra. The CIA and Defense Department were prohibited from participating. State was told to run the humanitarian aid program, despite its objection that this made no sense. Then Mr. Abrams had to fall back on his Harvard Law degree to parse the confused language of Boland.

After all this, the case against Mr. Abrams is being reduced to another legalism. Congress expressly had authorized the State Department to solicit humanitarian aid from third countries as part of the 1986 Intelligence Authorization Act. Yet reports say special prosecutor Lawrence Walsh is thinking about indicting Mr. Abrams for lying to Congress about U.S. solicitation of aid from Brunei. This seems to boil down to a claim that Mr. Abrams did not tell Congress about the sultan of Brunei quickly enough. "We promised confidentiality to Brunei," Mr. Abrams said. He said he told Congress about the solicitation as soon as he got permission from Secretary Shultz.

Mr. Abrams resumes his testimony today. The members can keep berating him for not informing them more quickly about the sultan. They can keep insinuating that he lied. Or they can discuss with him how Congress can stay involved in foreign policy without getting so involved that it forces the executive branch into semi-secret policy making.

While the Iranamok terriers are running the Brunei Connection to ground, we suggest that the rest of the country consider how U.S. foreign policy stumbled into its current swamp. Congressional Democrats and a few free-lance Republicans such as Sen. William Cohen don't like executive-branch foreign policy, so they decide to run their own. Using the legislative process, they write up policy with about the same clarity they imposed on the Environmental Policy Act. So ordered, the secretary and an assistant secretary of state spend their days setting up quartermaster operations and defining how wristwatches fit within the ambit of congressional foreign policy. This is a mess. We trust that those viewing these hearings will be able to decide who created it.